

AQUA MARINE

Classic Charters & Restorations, Inc.

12/07/00

Boating Coordinator
Department of Game & Inland Fisheries
Box 11104
Richmond, VA 23230

RE: Necessity of Reason for Requesting
NO WAKE Markers

To whom it may concern,

Aqua Marine purchased Wildey Marina in Seaford, VA in 1999. There is currently one NO WAKE sign approved by your agency. The previous owner, Bill Clemens, Wildey Marina Inc., maintained this sign. It is situated Southeast of the marina approximately 250 yards, attached to a piling on the Seaford side of Chisman Creek channel.

Vessels navigating this stretch of waterway do not adhere to the NO WAKE designation, which, per VA Statute, describes navigating through a no wake area as "bare minimum speed to maintain steerage".

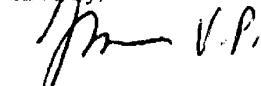
I contacted DGIF Law Enforcement Sgt. Hickman in Williamsburg at (757) 253-7072, introducing myself as the new owner of the marina, trading as Aqua Marine Boating Center. My conversation with him included the fact that boats navigating Chisman Creek were not adhering to the "NO WAKE" designation. He stated that the area was not enforceable with its current NO WAKE markings, because there was inadequate signage with one sign and the body of water being so wide, boats are at times navigating outside the main channel and do not notice the no wake sign. I was told that citations have been dismissed in Court because of these reasons.

Aqua Marine is currently upgrading the marina with floating docks. The marina has not been active in recent years although we have maintained some slip rentals. The disregard boaters are showing for their wakes in this area is and will continue being a hazard for the personal property of our slip renters, as well as causing a safety hazard to their person.

It is requested that we be allowed to maintain additional signage per the attached sketch and have the law enforcement support in order that boat speed and wakes are controlled through this area. Wakes from boats outside the channel, particularly larger boats docked upstream, roll into the marina, even though they are operating mid creek.

Your prompt consideration in this matter is appreciated by Aqua Marine, as well as its current slip renters.

Sincerely,



Capt. James A. Vaughn
U.S.C.G. Master
Aqua Marine

512 Wildey Rd., Seaford, VA 23696
Phone (757)890-6200 Fax (757)890-8025
Email - Aquamarineva@aol.com

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF GAME AND INLAND FISHERIES

Application for Establishment of Regulatory Markers on
Public Waters of Virginia

Date of Application 12/8/00 Proposed Date of Installation ASAP

A. APPLICANT

1. Name of Political Subdivision or Agency

Telephone Number _____

2. Name and address of individual to be responsible for installation and maintenance

AQUA MARINE
512 WILDEY RD.
SEAFORD, VA 23696

Daytime Telephone Number 757 890 6200

B. NECESSITY OF REASON FOR REQUESTED MARKERS

1. Attach a letter addressed to Boating Coordinator, Department of Game and Inland Fisheries, Box 11104, Richmond, VA 23230 explaining conditions which make such markers necessary.
2. Political subdivision - attach a copy of the public notice and proposed regulation or ordinance, which has been issued prior to this application.

C. LOCATION OF MARKERS - Body of Water CHISMAN CREEK County YORK

1. Attach a copy of a map, chart section, or drawing to a scale which will readily depict the proposed zoned area to its surroundings showing the location of each marker to be placed in the water and its relation to nearby channels and water patterns. Have inset or attachment showing type of marker to be used at each location.

D. MARKERS - Type and Number of Markers 1 EXISTING - 3 ADDITIONAL

1. All markers must conform to specification as listed in Rules for Establishment of Uniform Regulatory Markers. State below names of manufacturer of commercial markers that will be used, or, if obtained otherwise, indicate source

3 ADDITIONAL - TAYLOR SUR-MARK NO WAKE BUOY

E. CERTIFICATION

The applicant hereby agrees and certifies that all markers authorized by the Department will be installed and maintained at no expense to the Department; that all such markers will conform to the specifications, standards and conditions as set forth in "Rules for Establishment of State Uniform Regulatory Markers on Public Waters of Virginia" and may be inspected at any time, without prior notice, by authorized personnel. Should markers not be maintained in satisfactory condition, the Department may order them removed at no expense to the Department. The applicant agrees that the Department of Game and Inland Fisheries will not be held liable with respect to any and all claims that may result from the installation and maintenance of such markers and the marking of any waters does not convey any exclusive privileges.

(Signature) 

(Title) V.P. AQUA MARINE

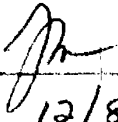
INSTRUCTIONS. Mail this application with supporting documents to Boating Education Coordinator, Department of Game and Inland Fisheries, Box 11104, Richmond, VA 23230-1104

Attn: Law Enforcement Division
Department of Game and Inland Fisheries
4010 West Broad Street
Box 11104
Richmond, VA 23230-1104

I hereby accept the responsibility of maintaining the waterway markers under File Number _____ that are authorized by the Department of Game and Inland Fisheries. I understand that by acceptance of this responsibility, failure to properly maintain the markers in accordance with rules prescribed by the Board of the Department of Game and Inland Fisheries may result in removal of the markers at my expense and/or prosecution.

I understand that I will be held responsible for these markers until such time that they are legally removed or a new responsible person signs an agreement of responsibility and submits it to the Department of Game and Inland Fisheries. I also understand that I cannot increase the number of markers or remove any markers without authorization from the Department of Game and Inland Fisheries.

I further agree to notify the Department of Game and Inland Fisheries (DGIF) of any change of address or telephone number that I may have.

Body of Water CHISMAN CREEK Location YORK COUNTY
Name AQUA MARINE
Address 512 WILCOX RD.
City SEAFORD VA 23696
State _____ Zip Code _____
Telephone 757-890-6200
Signature  JAMES VAUGHN V.P.
Date 12/8/00

